

## **REMARKS**

In reply to the Office Action mailed September 12, 2006, please enter the amendments set forth above and consider the following remarks. By this Response, claims 1, 12 and 19 are amended. After entry of this paper, claims 1-3, 5-13, 15-20, and 22-24 will remain pending in this application.

In the Office Action, the Examiner: (i) objected to the drawings; (ii) rejected claims 1, 5-7, 19, 22 and 24 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. US2004/0258567 to Kokin et al. ("Kokin"); and (iii) rejected claims 2-3, 8-13, 15-18, 20 and 23 under 35 U.S.C. § 103(a) as being unpatentable over Kokin in view of U.S. Patent No. 4,564,889 to Bolson ("Bolson").

### **Objections to the Drawings**

The drawings have been amended as requested by Examiner. Further, the Specification has also been amended in accordance with these changes to the drawings. No new matter has been added.

### **Claims Rejections under 35 U.S.C. § 102(e)**

Claims 1, 5-7, 19, 22 and 24 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Kokin. Applicant respectfully traverses.

The independent claims under rejection here, claims 1 and 19, relate to lighting systems and water fixtures that include a showerhead and lighting configuration that provides pleasant visual effects to a user of the showerhead. Specifically, as amended, each of these claims recite, *inter alia*, a showerhead "including a flat, disc-shaped dispersing portion having ports formed to eject water in a spray suitable to wash an entire human body positioned beneath the dispersing portion," and one or more lights fixed within the respective apparatus "such that beams from the one or more lights are directed down into a region beneath the dispersing portion such that the beams provide pleasant visual effects upon a person located beneath the showerhead." See, e.g., Pending Application, Figs. 1-11, and paragraphs 0004-0007 and 0027.

In contrast, Kokin teaches a plumbing fixture wherein a nozzle is adapted to include a water-condition sensing component and *a light element to illuminate the stream of water with a color* that corresponds to the sensed condition. For example, Kokin discloses a sink faucet that can *illuminate the stream of water* with a specified color (such as red) when the water is overly hot. See, e.g., all of the Figures, as well as paragraphs 0001, 0007-0008 and 0028-0029. Specifically, Kokin is directed to devices and methods “for monitoring and *illuminating a fluid*” (paragraph 0007), “that provide[] desirable *illumination of the water stream*” (paragraph 0008), “for monitoring and *illuminating a fluid*” (paragraph 0028), or that “*illuminate the fluid stream*” (paragraph 0029). Thus, although Kokin mentions a utilitarian facet of light impinging on a nearby surface (i.e. cleaning surface, in paragraph 0008) or the aesthetics of illuminating the water, there is no teaching or suggestion of providing “pleasant visual effects upon a person” as now recited in claims 1 and 19. Moreover, among other things, Kokin also fails to teach or suggest a “flat, disc-shaped dispersing portion,” as now recited in independent claims 1 and 19.

Accordingly, because the independent claims under rejection recite the distinguishing limitations set forth above, it is respectfully submitted that Kokin does not anticipate independent claims 1 and 19. With respect to the remaining claims (claims 5-7, 22 and 24), these claims directly or indirectly depend upon independent claims 1 and 19, and are thus allowable for at least the same reasons as their respective base claims.

Therefore, it is respectfully submitted that claims 1, 5-7, 19, 22 and 24 are not anticipated by Kokin, and that the rejections under §102(e) should be withdrawn.

#### Claim Rejections under 35 U.S.C. § 103(a)

Claims 2-3, 8-13, 15-18, 20 and 23 stand under 35 U.S.C. § 103(a) as being unpatentable over Kokin in view of Bolson. Applicant respectfully traverses.

Claims 2-3 and 8-11 directly or indirectly depend on amended claim 1, which now recites a “showerhead including a flat, disc-shaped dispersing portion having ports formed to eject water in a spray suitable to wash an entire human body positioned

beneath the dispersing portion” and “one or more lights fixed within the housing such that beams from the one or more lights are directed down into a region beneath the dispersing portion such that the beams provide pleasant visual effect upon a person located beneath the showerhead,” as discussed above. Further, independent claim 12 has been amended to recite corresponding limitations, and claims 13 and 15-19 are dependent upon claim 12. Similarly, claims 20 and 23 directly or indirectly depend on claim 19, which also recites these limitations.

However, as set forth above, the primary reference used to reject these claims (Kokin) fails to teach or suggest a showerhead for use over entire human beings that includes the dispersing and lighting features now recited in these claims. Furthermore, Bolson does not cure the deficiencies of Kokin because it also fails to disclose the limitations now present in these claims. (See, e.g., Figs. 1-2, col. 1, lines 10-11, and col. 4, line 1, which show that Bolson discloses an “elongated” lens structure, which only “illuminates the area directly surrounding a shower head.”) Thus, Bolson does not teach or suggest a flat, disc-shaped showerhead for use illuminating full human bodies including dispersing and pleasant lighting effect features corresponding to the recitations of claims 2-3, 8-13, 15-18, 20 and 23. Accordingly, because each and every element of claims 2-3, 8-13, 15-18, 20 and 23 are neither taught nor suggested by the cited references, it is submitted that these claims are patentable over Kokin in view of Bolson. Therefore, it is respectfully submitted that the §103(a) rejections against claims 2-3, 8-13, 15-18, 20 and 23 should be withdrawn.

Conclusory Remarks

In view of the above, it is respectfully submitted that all of the pending claims are now in condition for allowance.

The Examiner is invited to call Applicant's attorney at the number below in order to speed the prosecution of this application.

The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment of fees to Deposit Account **No. 07-1896** referencing Attorney Docket Number 352314-165887.

Respectfully submitted,

**DLA PIPER US LLP**

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By



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